



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 07/01/2003  
William E. Lewis  
Ryan, Mason & Lewis, LLP  
90 Forest Avenue  
Locust Valley, NY 11560

# RECEIVED

JUL 15 2003

Technology Center 2100

EXAMINER

NGUYEN, CAO H

ART UNIT

CLASS-SUBCLASS

2173

345-762000

DATE MAILED: 07/01/2003

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR  | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 09/438,493      | 11/12/1999  | SIH-PIN SUBRINA CHANG | SE9-99-012(1)       | 9401             |

TITLE OF INVENTION: SYSTEM AND METHOD OF ENRICHING NON-LINKABLE MEDIA REPRESENTATIONS IN A NETWORK BY ENABLING AN OVERLYING HOTLINK CANVAS

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO           | \$1300    | \$300           | \$1600           | 10/01/2003 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
Alexandria, Virginia 22313-1450  
Fax (703)746-4000**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

**CURRENT CORRESPONDENCE ADDRESS** (Note: Legibly mark-up with any corrections or use Block 1)

7590

07/01/2003

William E. Lewis  
Ryan, Mason & Lewis, LLP  
90 Forest Avenue  
Locust Valley, NY 11560

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

|                    |
|--------------------|
| (Depositor's name) |
| (Signature)        |
| (Date)             |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR  | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 09/438,493      | 11/12/1999  | SIH-PIN SUBRINA CHANG | SE9-99-012(1        | 9401             |

**TITLE OF INVENTION:** SYSTEM AND METHOD OF ENRICHING NON-LINKABLE MEDIA REPRESENTATIONS IN A NETWORK BY ENABLING AN OVERLYING HOTLINK CANVAS

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO           | \$1300    | \$300           | \$1600           | 10/01/2003 |

| EXAMINER      | ART UNIT | CLASS-SUBCLASS |
|---------------|----------|----------------|
| NGUYEN, CAO H | 2173     | 345-762000     |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_

## **3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee  
☐ Publication Fee  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.** SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR  | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 09/438,493      | 11/12/1999  | SIH-PIN SUBRINA CHANG | SE9-99-012(1        | 9401             |

7590

07/01/2003

William E. Lewis  
Ryan, Mason & Lewis, LLP  
90 Forest Avenue  
Locust Valley, NY 11560

EXAMINER

NGUYEN, CAO H

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 07/01/2003

13

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The patent term adjustment to date is 0 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 0 days.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)

Any questions regarding the patent term extension or adjustment determination should be directed to the Office of Patent Legal Administration at (703)305-1383.



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/438,493

11/12/1999

SIH-PIN SUBRINA CHANG

SE9-99-012(1

9401

7590

07/01/2003

EXAMINER

NGUYEN, CAO H

William E. Lewis  
Ryan, Mason & Lewis, LLP  
90 Forest Avenue  
Locust Valley, NY 11560  
UNITED STATES

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 07/01/2003

## Notice of Fee Increase on January 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after January 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on January 1, 2003. See Revision of Patent and Trademark Fees for Fiscal Year 2003; Final Rule, 67 Fed. Reg. 70847, 70849 (November 27, 2002).

The current fee schedule is accessible from: <http://www.uspto.gov/main/howtofees.htm>.

If the issue fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due," but not the correct amount in view of the fee increase, a "Notice to Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice to Pay Balance of Issue Fee," if the response to the Notice of Allowance and Fee(s) due form is to be filed on or after January 1, 2003 (or mailed with a certificate of mailing on or after January 1, 2003), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

# Notice of Allowability

Application No.

09/438,493

Applicant(s)

Chang et al.

Examiner

Cao (Kevin) Nguyen

Art Unit

2173



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course.

**THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to CPA filed on 06/12/02.
2. ☒ The allowed claim(s) is/are 21-67.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received: \_\_\_\_\_.

5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☒ to Paper No. 6.
- (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the examiner.
- (c) ☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- 1 ☐ Notice of References Cited (PTO-892)
- 2 ☐ Notice of Informal Patent Application (PTO-152)
- 3 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 4 ☐ Interview Summary (PTO-413), Paper No. \_\_\_\_\_
- 5 ☐ Information Disclosure Statement(s) (PTO-1449), Paper No(s). \_\_\_\_\_
- 6 ☐ Examiner's Amendment/Comment
- 7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

  
CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER

Art Unit: 2173

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 21-67 are allowable over the prior of record.
2. The following is an examiner's statement of reasons for allowance:

Applicant has claimed uniquely distinct features in the instant invention which are not found in the prior art either singularly or in combination. They are a method of enriching a non-linkable media representation presentable at a user terminal, the method comprising the steps of obtaining the non-linkable media representation; obtaining code and, responsive to the code, generating a panel comprising at least one link to at least one other media representation; and overlaying the panel on the non-linkable media representation in accordance with a presentation at the user terminal, such that the non-linkable media representation becomes linkable to the at least one other media representation. These features are not found or suggested in the prior art.

The present invention is directed to a method enriching a non-linkable media representation presentable at a user terminal, the method comprising the steps of obtaining the non-linkable media representation; obtaining code and, responsive to the code, generating a panel comprising at least one link to at least one other media representation and overlaying the panel on the non-linkable media representation in accordance with a presentation at the user terminal, such that the non-linkable media representation becomes linkable to the at least one other media representation. Each independent claims 21, 44, 63 and 67 are identifies "obtaining code and.

Art Unit: 2173

responsive to the code, generating a panel comprising at least one link to at least one other media representation and overlaying the panel on the non-linkable media representation in accordance with a presentation at the user terminal, such that the non-linkable media representation becomes linkable to the at least one other media representation" The closest prior arts, Bates et al. discloses a conventional the browser displays the icon, which represents the browser and the page on the display screen; either singularly or in combination, fail to anticipate or render the above underline limitation obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Response**

3. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 305-9724 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Art Unit: 2173

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA. Sixth Floor (Receptionist).

*Inquires*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (703) 305-3972. The examiner can normally be reached on Monday-Friday from 8:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca, can be reached on (703) 308-3116. The fax number for this group is (703) 308-6606.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

  
**CAO (KEVIN) NGUYEN**  
**PRIMARY EXAMINER**

*June 30, 2003*



June, 2003

Dear Patent Recipient

In a continuing effort to measure satisfaction with the patent process and performance standards, the United States Patent and Trademark Office (USPTO) is conducting the Patent Customer Satisfaction Survey for the eighth year. I am writing to strongly encourage your participation in this study.

The reverse side of this letter contains the survey questions. For those of you that have participated in past surveys, you will notice that we have drastically reduced the number of questions we are asking. Based on comments received, we are focusing this year's survey on three key areas:

- Written communications regarding the legal position of the examiner;
- Search; and
- Problem resolution.

**Instructions**

Survey is voluntary. You were randomly selected to complete this survey from our database of customers who recently received a patent in the **Computer Architecture, Software, and Electronic Commerce (2100)** area, either for themselves or on behalf of a client, in 2003. While we recognize that you may file patent applications in a variety of areas or receive multiple patents, we would like you to focus only on your experiences with patent referenced in this mailing. Choose only one response for each question unless directed otherwise. A prepaid, postage-paid envelope is provided for you to return the completed survey.

Although this is a paper survey, you have the option of completing it electronically over the Internet. I encourage you to choose the Internet option.

To complete the Internet survey, enter the URL <http://www.uspto.gov/surveys/surveyLogin.htm> and follow the instructions below. If you respond to this survey using the Internet, please discard this paper survey.

Indicate which technology area this survey pertains to. The survey you have received pertains to: **Computer Architecture, Software, and Electronic Commerce (2100)**

Enter the User Name: **patents**

Enter the 8-digit Survey ID shown below

Survey ID:

09438 493

4. Enter the password (case sensitive): **gXn886B**

A prompt response to the survey, either by Internet or mail, is greatly appreciated.

**Confidentiality**

Be assured that all of your responses, either collected over the Internet or by mail, will remain confidential. Data will be used and published in summary format only. Because you are a valued customer to the USPTO, your opinions are very important to us and will be used to guide our future action planning.

**Use of Survey Results**

Based on the results of the previous surveys, we have implemented new initiatives to improve customer satisfaction and we have targeted others for implementation in the near future. Last year's survey results are available on the USPTO Web Page at "[www.uspto.gov/ccrs/ccrdocument/ccsr2002.pdf](http://www.uspto.gov/ccrs/ccrdocument/ccsr2002.pdf)".

**Questions?**

If you have questions about completing the survey, or comments about improving the survey process or instruments, please contact Martin Rater, USPTO Center for Quality Services, on 703-305-4220 or via email at [martin.rater@uspto.gov](mailto:martin.rater@uspto.gov).

Thank you in advance for your participation.

Sincerely,

*Nicholas P. Godici*

Nicholas P. Godici  
Commissioner for Patents

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB number. The OMB number for this survey is 0651-0038 and expires 05-31-2006. This collection of information is requested as part of the USPTO's efforts to gauge customer satisfaction with the USPTO's products, services, and related service standards. The responses will be aggregated, and used by the USPTO to develop customer satisfaction improvement strategies. This collection of information is voluntary in accordance with E.O. 12862, Setting Customer Service Standards for the Patent and Trademark Office. This survey is estimated to take approximately 5 minutes to complete, including the time to gather the information and complete the survey. If you have any comments or recommendations for reducing its length, send them to Chief Information Officer, United States Patent and Trademark Office, U.S. Department of Commerce, PO Box 1450, Alexandria, VA 22313-1450.



United States Patent and Trademark Office  
2003 Patent Annual Customer Satisfaction Survey

OMB No. 0651-4038  
Expires 05-31-2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB number.

You have the option of responding to this survey over the Internet at <http://www.uspto.gov/surveys/surveyLogin.htm>. Please refer to the instructions on the other side of this survey. After you have completed the Internet survey, you do not need to send in this paper survey.

**1** Considering the entire prosecution of the application in which this survey was enclosed, please indicate your level of satisfaction with the legal positions of the examiner with respect to:

|                            | Very Dissatisfied | Dissatisfied | Neither Dissatisfied nor Satisfied | Satisfied | Very Satisfied | Not Applicable |
|----------------------------|-------------------|--------------|------------------------------------|-----------|----------------|----------------|
| 35 U.S.C. 102 .....        | 1                 | 2            | 3                                  | 4         | 5              | 6              |
| 35 U.S.C. 103 .....        | 1                 | 2            | 3                                  | 4         | 5              | 6              |
| 35 U.S.C. 112 .....        | 1                 | 2            | 3                                  | 4         | 5              | 6              |
| Restriction Practice ..... | 1                 | 2            | 3                                  | 4         | 5              | 6              |
| Other .....                | 1                 | 2            | 3                                  | 4         | 5              | 6              |

**2** Considering the entire prosecution of the application in which this survey was enclosed, please indicate your level of satisfaction with the following aspects of the search performed:

|  | Very Dissatisfied | Dissatisfied | Neither Dissatisfied nor Satisfied | Satisfied | Very Satisfied | Not Applicable |
|--|-------------------|--------------|------------------------------------|-----------|----------------|----------------|
| Relevance of <u>U.S. Patent Document</u> art cited .....       | 1                 | 2            | 3                                  | 4         | 5              | 6              |
| Relevance of <u>Foreign Patent Document</u> art cited .....    | 1                 | 2            | 3                                  | 4         | 5              | 6              |
| Relevance of <u>Non-Patent Literature</u> art cited .....      | 1                 | 2            | 3                                  | 4         | 5              | 6              |
| How satisfied are you overall with the search performed? ..... | 1                 | 2            | 3                                  | 4         | 5              | 6              |

a. How satisfied are you with the resolution of any problems that may have occurred during prosecution of this application?

|                   |              |                                    |           |                |                |
|-------------------|--------------|------------------------------------|-----------|----------------|----------------|
| Very Dissatisfied | Dissatisfied | Neither Dissatisfied nor Satisfied | Satisfied | Very Satisfied | Not Applicable |
| 1                 | 2            | 3                                  | 4         | 5              | 6              |

**\*\* If you did not encounter any problems during prosecution, please skip to Question #4. \*\***

b. Please indicate the nature of the problem(s) encountered. (Check all that apply)

|                          |                          |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Lost Files               | Filing Receipt Errors    | Other Document Errors    | Examiner Knowledge       | Examiner Judgment        | Communication            | Other                    |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Considering all of your transactions with the Technology Center over the past year, please indicate your level of satisfaction with:

|   | Very Dissatisfied | Dissatisfied | Neither Dissatisfied nor Satisfied | Satisfied | Very Satisfied |
|---|-------------------|--------------|------------------------------------|-----------|----------------|
| a. Examiners' actions to advance prosecution .....                    | 1                 | 2            | 3                                  | 4         | 5              |
| b. Employees' commitment to providing the best possible service ..... | 1                 | 2            | 3                                  | 4         | 5              |

**5** Considering all of your experiences with the USPTO patent process over the past year, how satisfied are you **OVERALL**?

|                   |              |                                    |           |                |
|-------------------|--------------|------------------------------------|-----------|----------------|
| Very Dissatisfied | Dissatisfied | Neither Dissatisfied nor Satisfied | Satisfied | Very Satisfied |
| 1                 | 2            | 3                                  | 4         | 5              |

**6** Please provide any comments you may have about the prosecution and customer service related to the enclosed application

## AMENDMENTS MAY NOW BE SUBMITTED IN REVISED FORMAT

The United States Patent and Trademark Office (USPTO) is permitting applicants to submit amendments in a revised format as set forth below. Further details of this practice are described in *AMENDMENTS IN A REVISED FORMAT NOW PERMITTED*, signed January 31, 2003, expected to be published in *Official Gazette* on February 25, 2003. (Notice posted on the Office's web site at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/revamdtpract.htm>). The revised amendment format is essentially the same as the amendment format that the Office is considering adopting via a revision to 37 CFR 1.121 (Manner of Making Amendments). The revision to 37 CFR 1.121 (if adopted) will simplify amendment submission and improve file management. The Office plans to adopt such a revision to 37 CFR 1.121 by July of 2003, at which point compliance with revised 37 CFR 1.121 will be mandatory.

Effective immediately, all applicants may submit amendments in reply to Office actions using the following format. Participants in the Office's electronic file wrapper prototype<sup>1</sup> receiving earlier notices of the revised practice may also employ the procedures set out below.

### REVISED FORMAT OF AMENDMENTS

#### Begin on separate sheets:

Each section of an Amendment (e.g., Claim Amendments, Specification Amendments, Drawing Amendments, and Remarks) should begin on a separate sheet. *For example*, in an amendment containing a.) introductory comments, b.) amendments to the claims, c.) amendments to the specification, and d.) remarks, each of these sections must begin on a separate sheet. This will facilitate the process of separately indexing and scanning of each part of an amendment document for placement in an electronic file wrapper.

#### Two versions of amended part(s) no longer required:

The current requirement in 37 CFR 1.121(b) and (c) to provide two versions (a clean version and a marked up version) of each replacement paragraph, section or claim will be waived where an amendment is submitted in revised format below. The requirements for substitute specifications under 37 CFR 1.125 will be retained.

#### A) Amendments to the claims:

Each amendment document that includes a change to an existing claim, or submission of a new claim, must include a complete listing of all claims in the application. After each claim number, the status must be indicated in a parenthetical expression, and the text of each claim under examination (with markings to show current changes) must be presented. The listing will serve to replace all prior versions of the claims in the application:

- (1) The current status of all of the claims in the application, including any previously canceled or withdrawn claims, must be given. Status is indicated in a parenthetical expression following the claim number by one of the following: (original), (currently amended), (previously amended), (canceled), (withdrawn), (new), (previously added), (reinstated – formerly claim # ), (previously reinstated), (re-presented – formerly dependent claim # ), or (previously re-presented). The text of all pending claims under examination must be submitted each time any claim is amended. Canceled and withdrawn claims should be indicated by only the claim number and status.
- (2) All claims being currently amended must be presented with markings to indicate the changes that have been made relative to the immediate prior version. The changes in any amended claim should be shown by strikethrough (for deleted matter) or underlining (for added matter). An accompanying clean version is not required and should not be presented. Only claims of the status "currently amended" will include markings.
- (3) The text of pending claims not being amended must be presented in clean version, i.e., without any markings. Any claim text presented in clean version will constitute an assertion that it has not been changed relative to the immediate prior version.

<sup>1</sup> The Office's Electronic File Wrapper prototype program is described in *USPTO ANNOUNCES PROTOTYPE OF IMAGE PROCESSING*, 1265 Off. Gaz. Pat. Office 87 (Dec. 17, 2002) ("Prototype Announcement"), and applies only to Art Units 1634, 2827 and 2834.

- (4) A claim may be canceled by merely providing an instruction to cancel. Listing a claim as canceled will constitute an instruction to cancel. Any claims added by amendment must be indicated as (new) and shall not be underlined.
- (5) All of the claims in each amendment paper must be presented in ascending numerical order. Consecutive canceled or withdrawn claims may be aggregated into one statement (e.g., Claims 1 – 5 (canceled)).

**Example of listing of claims (use of the word "claim" before the claim number is optional):**

Claims 1-5 (canceled)

Claim 6 (withdrawn)

Claim 7 (previously amended): A bucket with a handle.

Claim 8 (currently amended): A bucket with a ~~green~~ blue handle.

Claim 9 (withdrawn)

Claim 10 (original): The bucket of claim 8 with a wooden handle.

Claim 11 (canceled)

Claim 12 (re-presented – formerly dependent claim 11) A black bucket with a wooden handle.

Claim 13 (previously added): A bucket having a circumferential upper lip.

Claim 14 (new): A bucket with plastic sides and bottom.

**B) Amendments to the specification:**

Amendments to the specification must be made by presenting a replacement paragraph or section marked up to show changes made relative to the immediate prior version. An accompanying clean version is not required and should not be presented. If a substitute specification is being submitted to incorporate extensive amendments, both a clean version (which will be entered) and a marked up version must be submitted as per current 37 CFR 1.125.

**C) Amendments to drawing figures:**

Drawing changes must be made by presenting replacement figures which incorporate the desired changes and which comply with § 1.84. An explanation of the changes made must be presented in the remarks section of the amendment. Any replacement drawing sheet must include all of the figures appearing on the immediate prior version of the sheet, even though only one figure may be amended. The figure or figure number of the amended drawing should not be labeled as "amended." If the changes to the drawing figure(s) are not accepted by the examiner, applicant will be notified of any required corrective action in the next Office action. No further drawing submission will be required, unless applicant is notified.

Any questions regarding the submission of amendments pursuant to the revised practice set forth in this flyer should be directed to the following legal advisors in the Office of Patent Legal Administration (OPLA): Elizabeth Dougherty ([Elizabeth.Dougherty@uspto.gov](mailto:Elizabeth.Dougherty@uspto.gov)), Gena Jones ([Eugenia.Jones@uspto.gov](mailto:Eugenia.Jones@uspto.gov)) or Joe Narcavage ([Joseph.Narcavage@uspto.gov](mailto:Joseph.Narcavage@uspto.gov)). For information on the waiver or legal aspects of the prototype, please contact Jay Lucas ([Jay.Lucas@uspto.gov](mailto:Jay.Lucas@uspto.gov)), Senior Legal Advisor (PCTLA) or Rob Clarke ([Robert.Clarke@uspto.gov](mailto:Robert.Clarke@uspto.gov)), Senior Legal Advisor (OPLA). Alternatively, further information may be obtained by calling OPLA at (703) 305-1616.

\* Revised Notice: See Sec. B) for changes relating to substitute specifications, and Sec. C) for changes on replacement drawing practice.